

September 28, 2021

*Document Electronically Filed*

Hon. Gabriel W. Gorenstein  
United States Magistrate Judge  
U.S. District Court for the Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**MEMORANDUM ENDORSEMENT**

Re: Desir v. Commissioner of Social Security  
Civil Action No: 1:21-cv-02181-GWG

Dear Judge Gorenstein:

This letter respectfully requests an extension of time of sixty (60) days for Plaintiff to serve her Motion for Judgment on the Pleadings in this matter. Plaintiff's Motion for Judgment on the Pleadings is currently due on October 4, 2021. However, due to the backlog of transcripts created by COVID-19 and the Commissioner's response, the Commissioner is able to produce records at a rapid pace. As a result, this has caused multiple, simultaneous filing deadlines that cannot be met. Plaintiff cannot meet the current briefing deadline. This extension is needed to thoroughly and properly prepare her Motion. Plaintiff's counsel has contacted defense counsel who consents to this request. This would be a first request to extend the time to serve Plaintiff's Motion.

If this request is granted, Plaintiff's Motion for Judgment on the Pleadings will be due on **December 3, 2021**. Subsequently, in accordance with the pattern of the Scheduling Order issued by this Court (Dkt. No. 16), the Commissioner's response to the Motion for Judgment on the Pleadings would then be due **February 4, 2022**. Plaintiff's Reply would then be due **February 25, 2022**. Defendant's reply, with respect to Defendant's motion would then be due **March 11, 2022**.

Thank you for your consideration.


Respectfully submitted,

/s/ Howard D. Olinsky  
Howard D. Olinsky, Esq.  
Bar Code H06529  
Counsel for Plaintiff

CC [via ECF]: Jason Peck, Esq. and Peter William Jewett, Esq. (Counsel for Defendant)

**SO ORDERED.** The proposed schedule is approved.

Dated: September 29, 2021  
New York, NY

  
Honorable Gabriel W. Gorenstein

**U.S. Magistrate Judge**